

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION NO.23649 of 2005

DATED: 07-11-2005

Between:

A. Koteswara Rao, S/o. Satyanarayana ...Petitioner

And

The District Collector, Visakhapatnam

and two others ...Respondents

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WRIT PETITION NO.23649 of 2005

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ORDER:

Petitioner seeks to issue a writ of Mandamus directing the respondents 1 and 2 -District Collector and District Cooperative Officer, Visakhapatnam respectively, not to conduct any elections to the post of President and also the election of the Board of Directors of the 3rd respondent, in view of the orders passed in I.A.No.41 of 2005 in EOP No.157 of 2005 dated 24-10-2005.

It is stated that in the elections conducted for the posts of office bearers of the 3rd respondent on 20-10-2005, the petitioner was unanimously elected as member of the 3rd respondent. But in view of the orders passed in I.A.No.41 of 2005 in E.O.P.No.157 of 2005 by the A.P. Cooperative Tribunal, the petitioner is unable to proceed further in the meetings. However, respondents 1 and 2 are taking steps to conduct the elections to the post of Director/President of the third respondent. Merely

because, there is a dispute among the members and an election petition is pending before the A.P. Cooperative Tribunal, Visakhapatnam, it cannot be a ground to postpone the elections for the post of President/Director of the third respondent Cooperative Central Bank. If at all the petitioner has got any grievance or intended to franchise his vote or proceed in the elections, he is always at liberty to pursue the matter before the A.P. Cooperative Tribunal, Visakhapatnam, by moving a vacate stay petition. Therefore, I see no merits in this writ petition and the same is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

V. ESWARAIAH, J.

Dated: 07-11-2005

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